

No. 6108-4Lab-74/24558.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workman and the management of Municipal Committee, Yamuna Nagar.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 10 of 1973

between

SHRI SURTA AND THE MANAGEMENT OF M/S MUNICIPAL COMMITTEE,
YAMUNA NAGAR

Present :

Shri Subhash Chander and Shri Boda Ram, for the management.

Nemo, for the workman.

AWARD

Shri Surtia a Road Gang Belder belonging to the work-charged establishment of the Municipal Committee, Yamuna Nagar had raised a dispute which was referred for adjudication to this court by the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947,—*vide* order No. ID/Anib/122-C-73/10106-10, dated 12th March, 1973, with the following terms of reference.

“Whether the termination of services of Shri Surtia was justified and in order? If not, to what relief is he entitled?”

Usual notices were given to the parties who have arrived at an amicable settlement. The workman concerned has been re-employed in the work-charged establishment on the same terms and conditions and he has foregone his claim for back dues. There is now no dispute left between the parties and an application to this effect Ex. M. 1 has been addressed to this court by Shri T.C. Wahi authorised representative of the workman who had given the demand notice leading to the present reference. A no dispute award is, therefore, given but without any order as to costs.

Dated the 24th June, 1974.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1569, dated the 2nd July, 1974

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 6104-4Lab-74/24560.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workman and the management of M/s Sunil Kumar Arvind Kumar, Yamunanagar.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 75 of 1973

between

SHRI BARHMA NAND AND THE MANAGEMENT OF M/S SUNIL KUMAR ARVIND KUMAR
YAMUNANAGAR

Present :

Shri Subhash Chander, for the management.

Nemo, for the workman.

AWARD

By order No. JD/Amb/300-A-73/45818-22, dated 7th December, 1973, of the Governor of Haryana the following dispute between the management of M/s Sunil Kumar, Arvind Kumar, Yamuna Nagar and its workman Shri Barhma Nand was referred for adjudication to this court, in exercise of the powers conferred by clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1947.

"Whether the termination of services of Shri Barhma Nand was justified and in order? If not, to what relief is he entitled?"

Usual notices were given to the parties. Shri Barhma Nand workman concerned has not appeared nor his authorised representative Shri Balbir Singh, General Secretary of the Union which gave the demand notice leading to the present reference. The management has taken the plea that, as a matter of fact, it is a case of self abandonment of service by the workman on account of the closure of the factory. Statement of Shri Subhash Chander, authorised representative of the management has been recorded. He has proved the resignation dated 3rd August, 1973 of the workman concerned and deposed on solemn affirmation that it was accepted on the same day and his dues were paid in full. There is apparently no reason to disbelieve the above plea of the management especially when the workman is not coming forward in person or through his authorised representative to pursue the claim.

A perusal of the record would show that the present reference was made on the 7th December, 1973 when the workman concerned had tendered his resignation on 3rd August, 1973, and the factory has also since been lying closed. In view of the above facts made out from the record, it is clear that no industrial dispute existed between the parties on the date of the reference which could validly be referred for adjudication. The workman concerned having voluntarily tendered his resignation and collected his dues, the question of the termination of his services by the management did not arise.

For the reasons aforesaid, the issue involved is decided against the workman and in favour of the management and a no dispute award is given holding the reference to be invalid and, in the result, the workman concerned is not entitled to any relief in the case. There shall, however, be no order as to costs.

O. P. SHARMA,

Presiding Officer,
Labour Court, Haryana, Rohtak.

Dated 25th June, 1974.

No. 1573, dated 2nd July, 1974.

Forwarded (four copies) to the Secretary to Government, of Haryana, Labour and Employment Departments, Chandigarh, as required under-section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Presiding Officer,
Labour Court, Haryana, Rohtak.

No 6594-4L-74/24562.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workmen and the management of M/s Municipality, Yamunanagar.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 12 of 1973

between

THE WORKMEN AND THE MANAGEMENT OF M/S MUNICIPALITY, YAMUNA NAGAR.

Present,—

Nemo, for the workmen.

Shri Subhash Chander and Shri Buta Ram for the management.

AWARD

The workmen of the Municipality Yamuna Nagar had raised certain demands which were not acceded to by the management. This gave rise to an industrial dispute. The matter was taken up for conciliation which also ended in failure.

On receipt of the failure report from the Conciliation Office, the Governor of Haryana referred the dispute for adjudication to this Tribunal, in exercise of the powers conferred by clause (d) of sub section (1) of section 10 of the Industrial Disputes Act, 1947 by order No. ID/UMB/122-B-72/10579, dated 14th March, 1973, with the following terms of reference :—

1. Whether the beldars having put in 10 to 15 years service should be confirmed? If so, with what details?
2. Whether all the beldar should be provided with seasonal uniforms? If so, with what details?
3. Whether the beldar should be granted weekly rest and other kinds of leaves as admissible to other employees of the committee? If so, with what details?
4. Whether the beldars should be granted cycle allowance? If so, with what details?

The parties have put in their pleadings. It is, however, not necessary to go into the merits of the case as an amicable settlement has been arrived at and the workmen concerned do not want to proceed with the reference. Statement of Shri Subhash Chander authorised representative of the management has been recorded. Shri T. C. Wahi, General Secretary, Yamunanagar, Labour Council, Yamuna Nagar who had given the demand notice leading to the present reference has also addressed an application to the above effect with copy to the management.

In view of the above, I am satisfied that the parties have arrived at an amicable settlement and the workmen concerned are no longer interested in pursuing the dispute as per the application of the authorised representative Shri T. C. Wahi referred to above. A no dispute award is, therefore, given but without any order as to costs.

O.P. SHARMA,

Dated the 12th July, 1974.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 621, dated the 12th July, 1974

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Dated the 12th July, 1974.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 6106-4Lab-74/24564.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and management of M/s Municipal Committee, Yamunanagar.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 11 of 1973

between

SHRI SUNDER AND THE MANAGEMENT OF MUNICIPAL COMMITTEES.
YAMUNA NAGAR.

Present:

Shri Subash Chander and Shri Boota Ram for the management.
Nemo, for the workman.

AWARD

Shri Sunder a Road Gang Beldar belonging to the work-charged establishment of the Municipal Committee, Yamuna Nagar had raised a dispute which was referred for adjudication to this court by the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub section (i) of Section 10 of the Industrial Disputes Act, 1947, —vide order No. ID/Amb/122-C-73/10112-16, dated 12th March, 1973 with the following term of reference.

“Whether the termination of services of Shri Sunnder was justified and in order? If not, to what relief is he entitled?”

Usual notices were given to the parties who have arrived at an amicable settlement. The workman concerned has been re-employed in the work-charged establishment on the same terms and conditions and he has foregone his claim for back dues. There is now no dispute left between the parties and an application to this effect Ex. M.1 has been addressed to this court by Shri T. C. Wahi authorised representative of the workman who had given the demand notice leading to the present reference. A no dispute award is, therefore, given but without any order as to costs.

The 24th June, 1974.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 1570, dated 2nd July, 1974.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour & Employment Departments, Chandigarh, as required under Section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 6105-4Lab-74 24568.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workman and the management of M/s Municipal Committee, Yamuna Nagar :—

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 13 of 1973

Between

SHRI RATTI RAM AND THE MANAGEMENT OF MUNICIPAL COMMITTEE
YAMUNA NAGAR

Present :

Shri Subhash Chander, & Boota Singh for the management.
Nemo for the workman.

AWARD

Shri Ratti Ram a Road gang Beldar belonging to the work-charged establishment of the Municipal Committee, Yamuna Nagar had raised a dispute which was referred for adjudication to this court by the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947,—vide order No. 1D/Amb-C-73/10124-26, dated 12th March, 1973, with the following term of reference.

“Whether the termination of services of Shri Ratti Ram was justified and in order? If not, to what relief is he entitled?”

Usual notices were given to the parties who have arrived at an amicable settlement. The workman concerned has been re-employed in the work-charged establishment on the same terms and conditions and he has foregone his claim for back dues. There is now no dispute left between the parties and an application to this effect Exhibit M. 1 has been addressed to this court by Shri T. C. Wahi authorised representative of the workman who had given the demand notice leading to the present reference. A no dispute award is, therefore, given but without any order as to costs.

Dated the 24th June, 1974.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 1572, dated 2nd July, 1974

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana, Rohtak.